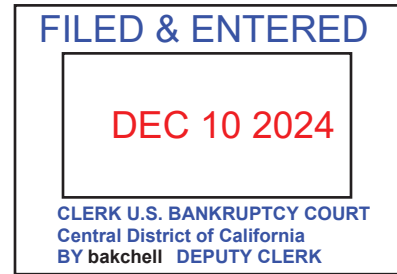


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Counsel for A.R.D. Marketing, Inc.,
Debtor and Debtor-in-Possession

UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

A.R.D. MARKETING, INC.,

Debtor and Debtor in Possession.

Case No.: 2:24-bk-13156-DS

Chapter: 11 (Subchapter V)

**ORDER GRANTING DEBTOR AND
DEBTOR-IN-POSSESSION A.R.D.
MARKETING, INC.'S MOTION TO DISMISS
CHAPTER 11 CASE**

Hearing:

Date: December 5, 2024
Time: 1:00 p.m. (Via ZoomGov)
Place: Courtroom 1639
255 East Temple Street
Los Angeles, CA 90012

On December 5, 2024, at the above-captioned time and place, the court held a hearing on the "Debtor and Debtor-in-Possession A.R.D. Marketing, Inc.'s Notice of Motion and Motion to Dismiss Chapter 11 Case" (the "Motion," Docket No. 187).¹ Appearances were noted on the record.

///

¹ Capitalized terms not otherwise defined in this Order have the meanings ascribed to them in the Motion.

1 The court having considered the Motion, the accompanying declarations of Gregory A.
2 Peplin and Samuel M. Boyamian in support of the Motion, and the remarks of counsel at the
3 hearing, for the reasons set forth by the court on the record at the hearing,

4 IT IS HEREBY ORDERED that:

5 1. The Motion is GRANTED as set forth herein.

6 2. The Debtor's chapter 11 case is dismissed effective as of the entry of this
7 Order.

8 3. The retentions of the Debtor's professionals are hereby terminated, effective
9 immediately, without the need for further action by the court, as the Debtor's professionals
10 have filed final fee applications for this court's review, which were also heard concurrently
11 with the Motion on December 5, 2024, and granted. Separate orders will be issued on the
12 allowance (and payment from the Carveout) of the Debtor's professionals' (and the
13 SubChapter V Trustee's) fees and expenses, respectively.

14 4. The Debtor shall, following the distributions from the Carveout to the Debtor's
15 professionals² and the SubChapter V Trustee, turnover the excess funds from the Carveout
16 to the United States Small Business Administration based on its secured claim.

17 5. The Debtor shall file, to the extent it has not already, monthly operating reports
18 through the period ending on the date of entry of this Order (the "Dismissal Date").

19 6. To the extent applicable, Bankruptcy Rule 6004(h) is waived and this Order is
20 effective and enforceable immediately upon entry.

21 7. Notwithstanding the dismissal of this Case, the court retains jurisdiction to enter
22 any orders related to the award and allowance of fees and expenses of the Debtor's retained
23


24 ² The SBA previously agreed to a 25% carve-out from the equipment which its blanket lien attaches to (Docket
25 No. 69). After the Auction, the value of this carveout comes to \$147,465.00 (Docket No. 180). Additionally,
26 after the Auction, the total value of the carveouts from the purchase money lienholders comes to \$5,550.00
27 (Docket No. 180). In addition to the SBA's 25% carveout, the SBA had also agreed to a \$90,000 reserve to
28 deal with the administrative expense claims (Docket No. 97). With the \$90,000 reserve having a balance of
\$74,189.07, the SBA agreed to apply \$19,000 from those funds to pay the Debtor's professionals and the
SubChapter V Trustee with the remaining amount to be turned over to the SBA (approximately \$55,189.07). In
sum, \$172,015 will be applied to the Debtor's professionals from the multiple Carveouts mentioned above with
the remaining balance of \$55,189.07 to be turned over to the SBA.

professionals, and further retains jurisdiction with respect to any matters, claims, rights or disputes arising from or relating to the implementation, interpretation or enforcement of this or any other order entered in this case.

8. The Clerk of the Court is authorized and instructed to close the above-captioned Chapter 11 bankruptcy case.

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Date: December 10, 2024



Deborah J. Saltzman
United States Bankruptcy Judge